

# **EXHIBIT “A”**

IN THE MATTER OF THE  
APPLICATION TO SEARCH

SUPERIOR COURT OF NEW JERSEY  
COUNTY OF SALEM

VEHICLE:  
2005 FORD TAURUS  
REGISTRATION: HSL2233  
VEHICLE IDENTIFICATION  
NUMBER 1FAFP 53235 A2002 47

CRIMINAL

SEARCH WARRANT

To Detective Segeant F. McGovern, badge number 5906, New Jersey State Police, and any officers of the New Jersey State Police or any officer of any department having jurisdiction.

1. THINGS TO BE SEIZED:

This matter having being opened to the court by Detective Sergeant F. McGovern, badge number 5906, on the application for the issuance of a search warrant for the:

( ) Premises listed below

(X) Vehicle(s) listed below

( ) Person(s) listed below

and the court having reviewed:

(X) Affidavit of

( ) Testimony under oath of

said Detective Sergeant F. McGovern, badge number 5906, and being satisfied that located therein or thereon there is:

All evidence, including but not limited to, photographs, measurements, alcoholic beverage containers, alcoholic beverage drinking paraphernalia, CDS in pill, powder, crystal, liquid, or vegetation form and all objects/things used in connection with said substance such as papers, wrappings, bags, cutters, blades, and other items, documents, paint samples, biological, microscopic and trace evidence, including, but not limited to: blood, hair, fibers and fingerprints that may tend to establish the identity of the driver of the vehicle or any persons who may have

occupied the vehicle and their respective positions in the vehicle. Additionally, any weapons or blunt objects which may be used as a weapon, and:

Any other evidence tending to establish the commission of the offenses of Murder {N.J.S.A. 2C:15-1}, Possession of a Weapon for an Unlawful Purpose {N.J.S.A. 2C:39-4}, Possession of CDS/Heroin {N.J.S.A. 2C:35-10a.1}, and Possession of CDS Paraphernalia {N.J.S.A. 2C:36-2}, that a thorough and diligent search may disclose will be seized.

**2. AUTHORITY TO SEARCH: SERVE ONE COPY OF WARRANT:**

You are commanded to search the:

( ) Premises listed below

(X) Vehicle(s) listed below

( ) Person(s) listed below

and to serve a copy of this warrant on such person or on the person in charge or control of such premises, vehicle or person.

**3. DELIVER RECEIPT OF ITEMS SEIZED:**

You are hereby ordered in the event you seize any of the above described articles, to give a receipt for the property so seized to the person from whom it was taken or in whose possession it was found, or in the absence of such person to leave a copy of this warrant together with such receipt in or upon the said premises or vehicle(s) from which the property was taken.

**4. TIME WHEN SEARCH CAN BE CONDUCTED, INVENTORY TO JUDGE:**

You are further authorized to execute this warrant within ten (10) days from the issuance hereof:

( ) Between the hours of \_\_\_\_\_ and \_\_\_\_\_

(X) Anytime

and thereafter to forthwith make a prompt return to me with a written inventory of the

property seized under the authority of this warrant.

**5. SPECIFIC DESCRIPTION OF THE PROPERTY TO BE SEARCHED.**

The following is a description of the:

( ) Premises listed below

(X) Vehicle(s) listed below

( ) Person(s) listed below

To be searched:

1) A2005 Ford Taurus, bearing Pennsylvania registration HSL2233, and VIN: 1FAFP53235 A2002 47. This vehicle is registered to Frank G. McAleese (AKA Frank MacLaine), of 615 East Main Street, Apartment C-21, Maple Shade, New Jersey 08052.

GIVEN AND ISSUED UNDER MY HAND AT 10:14 A.M./~~P.M.~~, this 10<sup>th</sup> day of November, 2011

  
TIMOTHY G. FARRELL, JSC

Judge of the Superior Court

Salem County

IN THE MATTER OF THE  
APPLICATION TO SEARCH:

SUPERIOR COURT OF NEW JERSEY  
COUNTY OF SALEM

VEHICLE:  
2006 HYUNDAI TUCSON-PA  
REGISTRATION: YHH13B  
VEHICLE IDENTIFICATION  
NUMBER KM8JM 12B86 U2528 78

CRIMINAL

VEHICLE:  
2005 FORD TAURUS  
REGISTRATION: HSL2233  
VEHICLE IDENTIFICATION  
NUMBER 1FAFP 53235 A2002 47

PERSON:  
FRANK MACLAINE  
615 E. MAIN STREET  
MAPLE SHADE, NJ 08052  
DOB: 3/6/1946  
SSN: 165-48-3453

STATE OF NEW JERSEY       )  
                                  ) SS  
COUNTY OF SALEM         )

APPLICATION FOR  
SEARCH WARRANT

I, Detective Sergeant F. McGovern, badge number 5906, of full age, being duly sworn on his oath according to law, depose and says:

1. QUALIFICATIONS OF APPLICANT:

I, Detective Sergeant Francis McGovern Jr., badge number 5906, have been a member of the New Jersey State Police for nine (10) years and two (7) months. I am assigned to the Troop "A" Criminal Investigation Office, Woodstown Station. I have participated in numerous investigations related to, but not limited to possession and distribution of controlled dangerous substance, conspiracy to commit criminal offenses, robbery, motor vehicle thefts, aggravated assault, sexual assault, arson, assault by auto, financial crimes, and weapon offenses. During these investigations, I have acted as both the lead investigator and support investigator. I have participated in several investigations involving possession and distribution of controlled dangerous substances and conspiracy to commit said criminal offenses, and have been the affiant

and co-affiant on several search warrants, resulting in arrests and convictions. In conjunction with my employment, I have attended and completed the New Jersey State Police Academy located at Sea Girt, New Jersey, where I received basic instruction in criminal investigations. As a member with the New Jersey State Police I receive yearly and periodically training on the updates of search and seizure.

I have since received further training through the following schools and seminars:

Breathalyzer/DUI	December 2002
DARE Officer Training	January 2003
Trooper Coach School	June 2003
Child Sexual Abuse Interviewing	March 2004
Document Fraud Crimes	June 2004
SIMS Training	October 2004
Criminal Investigation School	December 2004
Advanced Street Gang Training	June 2005
Advanced Homicide Investigation	June 2006
Narcotic Investigations	April 2007
Interview and Interrogation	March 2008
Body Language & Deception	June 2009
Intelligence Led Policing	September 2011

**2. BRIEF DESCRIPTION OF WHAT IS TO BE SEARCHED:**

I want to search and have a mechanical inspection of the following:

- ( ) Premise at:
- (X) Vehicle(s) of:
- (X) Person(s) of:

1) A 2006 Hyundai Tucson, bearing Pennsylvania registration YHH13B, and VIN: KM8JM12B86U252878. This vehicle is registered to Carole A. Brown, of 160 West Avenue, Apartment E714, Woodstown, New Jersey 08098.

2) A2005 Ford Taurus, bearing Pennsylvania registration HSL2233, and VIN: 1FAFP53235A200247. This vehicle is registered to Frank G. McAleese (AKA Frank MacLaine),

of 615 East Main Street, Apartment C-21, Maple Shade, New Jersey 08052.

3) Frank Maclaine, Date of Birth: March 6, 1946; Social Security Number: 165-48-3453; residing at 615 E. Main Street, Apartment C-21, Maple Shade, New Jersey 08052.

**3. SPECIFIC DESCRIPTION OF THE PROPERTY TO BE SEARCHED:**

The vehicle is specifically described as:

1) A 2006 Hyundai Tucson, bearing Pennsylvania registration YHH13B, and VIN: KM8JM 12B86 U2528 78. This vehicle is registered to Carole A. Brown, of 160 West Avenue, Apartment E714, Woodstown, New Jersey 08098. This vehicle is currently located at the New Jersey State Police, Troop "A" Headquarters, at 1045 Route 54, Williamstown, New Jersey 08094

2) A2005 Ford Taurus, bearing Pennsylvania registration HSL2233, and VIN: 1FAFP 53235 A2002 47. This vehicle is registered to Frank G. McAleese (AKA Frank Maclaine), of 615 East Main Street, Apartment C-21, Maple Shade, New Jersey 08052. This vehicle is currently located at the New Jersey State Police, Troop "A" Headquarters, at 1045 Route 54, Williamstown, New Jersey 08094.

3) Frank Maclaine, Date of Birth: March 6, 1946; Social Security Number: 165-48-3453; residing at 615 E. Main Street, Apartment C-21, Maple Shade, New Jersey 08052.

**4. SPECIFIC DESCRIPTION OF WHAT IS TO BE SEIZED:**

All evidence, including but not limited to, photographs, measurements, alcoholic beverage containers, alcoholic beverage drinking paraphernalia, CDS in pill, powder, crystal, liquid, or vegetation form and all objects/things used in connection with said substance such as papers, wrappings, bags, cutters, blades, and other items, documents, paint samples, biological, microscopic and trace evidence, including, but not limited to: blood, hair, fibers and fingerprints that may tend to establish the identity of the driver of the vehicle or any persons who may have occupied the vehicle and their respective positions in the vehicle. Additionally, any weapons or

blunt objects which may be used as a weapon, and:

Frank MacLaine's clothing will be seized and examined for blood, hair, fibers and/or any other evidence establishing the commission of the crimes under investigation. A blood sample will be taken from Frank MacLaine for the purpose of determining his blood alcohol content and/or presence of any additional intoxicants. And:

Any other evidence tending to establish the commission of the offenses of Murder {N.J.S.A. 2C:15-1}, Possession of a Weapon for an Unlawful Purpose {N.J.S.A. 2C:39-4}, Possession of CDS/Heroin {N.J.S.A. 2C:35-10a.1}, and Possession of CDS Paraphernalia {N.J.S.A. 2C:36-2}, that a thorough and diligent search may disclose will be seized.

##### 5. PROBABLE CAUSE.

The facts supporting this application are as follows:

A. At 11:15 P.M., the Woodstown Station received a telephone call from the Salem County Hospital in regards to a patient. Carole A. Brown (Date of Birth: May 8, 1938, SSN: 155-28-3903) was brought to the Emergency Room by Frank MacLaine (Date of Birth: March 6, 1946, SSN: 165-48-3453). Frank MacLaine drove Carole Brown to the hospital, operating Carole Brown's vehicle (2006 Hyundai Tucson, bearing Pennsylvania registration YHH13B). Carole Brown had severe blunt force trauma to the back side of her head. Carole Brown was treated by Dr. Wolk, but was pronounced deceased at 11:25 P.M. Carole was transported to Underwood Memorial Hospital, pending an autopsy.

B. Trooper B. Bobbitt, badge number 6343, and Trooper M. Licchetto, badge number 7124, responded to the Salem County Hospital to investigate. Trooper Bobbitt encountered Frank MacLaine sitting in a wheelchair in the hallway of the Emergency Room. Frank MacLaine told Trooper Bobbitt that he was visiting his girlfriend, Carole Brown, at her apartment. At some point in the evening, Carole Brown drove to the "Corner Bar" in Woodstown to "buy drugs". When she didn't return after an hour, Frank MacLaine claimed that he walked to the "Corner Bar" to look for her and observed her vehicle parked in the "Corner Bar" parking lot.



Frank MacLaine indicated that he saw Carole Brown slumped over, sitting in the passenger seat of the vehicle. He opened the passenger door, shook Carole, and asked her "if she was okay". Carole did not respond. Frank MacLaine indicated that he assumed control of the vehicle and drove her to the Salem County Hospital.

C Detective II E. Crain, badge number 6296, of the New Jersey State Police/Crime Scene Unit, responded to the hospital and photographed Carole Brown's Hyundai Tucson. In plain view, through the vehicle's windows, Detective Crain observed evidence of an assault. Located throughout the passenger cabin was pools of blood, high velocity blood spatter, brain matter, and bone fragments. Consequently, the vehicle was secured and towed to Troop "A" Headquarters, pending the application of a search warrant.

D. Detective II D. Quimm, badge number 6424, responded to the Carole Brown's apartment (160 West Avenue, Apartment E 714, Woodstown, New Jersey). Frank MacLaine's vehicle (Ford Taurus, PA Registration HSL2233) was parked haphazardly in a parking stall in front of her apartment. The vehicle had impact damage, which appeared to have been recent, to the lower portion of the vehicle's passenger door.

E. During a neighborhood canvass, Trooper B Guinup, badge number 6728 interviewed Carole Brown's neighbor (Anna G. Pansena, Date of Birth: August 18, 1934; 160 West Avenue, Apartment 715, Woodstown, New Jersey). Anna Pansena stated that Frank MacLaine is a long time "good friend" of Carole Brown. Anna recalled going to bed at approximately 10:15 P.M. Before doing so, Anna heard Carole "talking loud" at the rear of her vehicle, which was very uncharacteristic of Carole. Anna described Carole as being very soft spoken. Anna assumed Carole was speaking to Frank MacLaine, but was not certain. A few minutes after hearing the loud conversation, Anna looked outside of her window a second time and noticed Carole's vehicle was no longer there. Only Frank MacClaine's vehicle remained. Frank MacLaine's vehicle (2005 Ford Taurus, bearing Pennsylvania registration HSL2233)

was secured and towed to Troop "A" Headquarters, pending the application of a search warrant.

F. I telephoned Carole Brown's next of kin, and ex-husband, George Brown Jr. (874 White Oak Road, Manheim, Pennsylvania 17545). I contacted George Brown to notify him of Carole's death and glean background information. George Brown explained that he and Carole have been divorced for approximately 25 years. George indicated that he does not stay intimately involved in her daily life, but they remain in sporadic contact. They last spoke approximately one month ago. In regards to past or recent boyfriends, George stated that Carole had a relationship with a guy name "Frank" intermittently over the last 20 years. George could not independently recall "Frank's" last name, but when offered the last name "MacLaine", George stated, "yeah, that's it". George added that Carole has complained in the past that Frank was stalking her and that she (Carole) was afraid of him (Frank). George believed that Frank was attempted to reignite a relationship with Carole, however, she was not interested.

G. Frank MacLaine was transported to the Woodstown Station for further investigation. Frank MacLaine's clothes were covered in blood. Permeated throughout his jacket, shirt, pants, and boots were smears and droplets of blood. Frank MacLaine's hands were blood soaked, and blood spatter was observed on his face and forehead. At the time Frank MacLaine was transported the Woodstown Station, he was extremely intoxicated and not suitable for an interview. An interview of Frank MacLaine is pending.

Based on my training, experience and the facts recited in this application, I have reason to believe and do believe that evidence relating to the crime of Murder {N.J.S.A. 2C:15-1}, Possession of a Weapon for an Unlawful Purpose {N.J.S.A. 2C:39-4}, Possession of CDS/Heroin {N.J.S.A. 2C:35-10a.1}, and Possession of CDS Paraphernalia {N.J.S.A. 2C:36-2}, is located upon the A 2006 Hyundai Tucson, bearing Pennsylvania registration

YHH13B, and VIN: KM8JM 12B86 U2528 78 and A 2005 Ford Taurus, bearing  
Pennsylvania registration HSL2233, and VIN: 1FAFP 53235 A2002 47

6. TIME WHEN SEARCH CAN BE CONDUCTED.

I hereby request that the warrant be executed within ten (10) days from the issuance  
between the hours of 6:00 A.M. and 10:00 P.M.

Therefore, I respectfully request permission be granted for the search and seizure of  
the vehicle listed in the aforementioned document.

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Det. Sergeant F. McGovern #5906

New Jersey State Police

Troop "A" Criminal Investigation Office

Woodstown Station

Sworn and subscribed before me this

10<sup>th</sup> day of November, 2011



Judge Thomas G. Farrell, JSC  
Essex County Superior Court

assigned in and to the County of Salem,

State of New Jersey.